

103<sup>RD</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 2440**

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**AMENDMENT**

***In the Senate of the United States,***

*May 12 (legislative day, May 2), 1994.*

*Resolved*, That the bill from the House of Representatives (H.R. 2440) entitled “An Act to amend the Independent Safety Board Act of 1974 to authorize appropriations for fiscal years 1994, 1995, and 1996, and for other purposes”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Independent Safety*  
3 *Board Act Amendments of 1994”.*

4 ***SEC. 2. AUTHORIZATION OF APPROPRIATIONS.***

5 *Sec. 309(a) of the Independent Safety Board Act of*  
6 *1974 (49 App. U.S.C. 1907(a)) is amended to read as fol-*  
7 *lows:*

8 *“(a) There are authorized to be appropriated for the*  
9 *purposes of this Act not to exceed \$37,580,000 for the fiscal*  
10 *year ending September 30, 1994, \$44,000,000 for the fiscal*  
11 *year ending September 30, 1995, and \$45,100,000 for the*  
12 *fiscal year ending September 30, 1996. Such sums shall re-*  
13 *main available until expended.”.*

1 **SEC. 3. APPLICABILITY OF CERTAIN REGULATIONS AND RE-**  
2 **QUIREMENTS TO THE OPERATION OF PUBLIC**  
3 **AIRCRAFT.**

4 (a) *DEFINITION OF PUBLIC AIRCRAFT.*—Section  
5 101(36) of the Federal Aviation Act of 1958 (49 App.  
6 U.S.C. 1301(36)) is amended—

7 (1) by striking “persons or” and inserting in  
8 lieu thereof “persons, or engaged in carrying”;

9 (2) by inserting “(A)” immediately after “For  
10 purposes of this paragraph,”; and

11 (3) by striking the period at the end of the sec-  
12 ond sentence and inserting in lieu thereof “, and (B)  
13 ‘engaged in carrying persons’ includes the provision  
14 of passenger transportation but does not include (i)  
15 the carriage of crewmembers or of other persons  
16 abroad an aircraft whose presence is required to per-  
17 form, or is associated with the performance of, a gov-  
18 ernmental function such as firefighting, search and  
19 rescue, law enforcement, aeronautical research, or bio-  
20 logical or geological resource management, or (ii) the  
21 carriage of persons (for other than commercial pur-  
22 poses) aboard aircraft operated by the Armed Forces  
23 or an intelligence agency of the United States.”.

24 (b) *EXEMPTIONS.*—Notwithstanding the provisions of  
25 section 610(a) of the Federal Aviation Act of 1958 (49 App.  
26 U.S.C. 1430(a)), the Administrator of the Federal Aviation

1 *Administration may grant exemptions pursuant to section*  
2 *601(c) of the Federal Aviation Act of 1958 (49 App. U.S.C.*  
3 *1421(c)) to a governmental entity with respect to an air-*  
4 *craft which, before the date of enactment of this Act and*  
5 *while owned or operated by such governmental entity, was*  
6 *engaged in carrying persons. For purposes of this sub-*  
7 *section, the term “engaged in carrying persons” has the*  
8 *meaning given that term under section 101(36) of the Fed-*  
9 *eral Aviation Act of 1958 (49 App. U.S.C. 1301(36)), as*  
10 *amended by this Act.*

11 *(c) INVESTIGATIVE AUTHORITY OF BOARD.—(1) Sec-*  
12 *tion 304(a)(1)(A) of the Independent Safety Board Act of*  
13 *1974 (49 App. U.S.C. 1903(a)(1)(A)) is amended by insert-*  
14 *ing “, or any aircraft accident involving a public aircraft*  
15 *as defined under section 101(36) of the Federal Aviation*  
16 *Act of 1958 (49 App. U.S.C. 1301(36)) other than an air-*  
17 *craft operated by the Armed Forces or by an Intelligence*  
18 *Agency” immediately before the semicolon at the end.*

19 *(2) Section 304(b) of the Independent Safety Board*  
20 *Act of 1974 (49 App. U.S.C. 1903(b)) is amended by redes-*  
21 *ignating paragraph (12) as paragraph (13) and by insert-*  
22 *ing immediately after paragraph (11) the following new*  
23 *paragraph:*

24 *“(12) The Board, in furtherance of its investiga-*  
25 *tive duties with respect to public aircraft accidents*

1        *under subsection (a)(1)(A), shall have the same duties*  
2        *and powers as are specified for civil aircraft accidents*  
3        *under sections 701(a)(1), 701(c), and 701(d) of the*  
4        *Federal Aviation Act of 1958 (49 App. U.S.C.*  
5        *1411(a)(1), (c), and (d)).”.*

6        *(d) EFFECTIVE DATE.—The amendments made by*  
7        *subsections (a) and (c) shall take effect on the date that is*  
8        *180 days after the date of enactment of this Act.*

9        **SEC. 4. ADVANCED LANDING SYSTEM.**

10        *Notwithstanding any other provision of law or regula-*  
11        *tion, the Administrator of the Federal Aviation Adminis-*  
12        *tration shall consider for approval under subpart C of part*  
13        *171 of title 14, Code of Federal Regulations, the new genera-*  
14        *tion, low cost, advanced landing system being developed by*  
15        *the Department of Defense. The charter for approval of such*  
16        *system shall be considered and acted upon expeditiously by*  
17        *the Regional Administrator of the Federal Aviation Admin-*  
18        *istration in the region where such system is being developed.*

Attest:

Secretary.